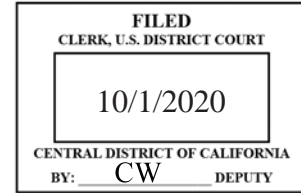


JS-6



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ALLYZA CAHILIG, on behalf
of herself and all others similarly
situated,

Plaintiffs,

v.

IKEA U.S. RETAIL, LLC, a
Virginia limited liability
company; and DOES 1 to 100,
inclusive,

Defendants.

CLASS ACTION

Case No.: 2:19-cv-01182-CJC (AS)

**ORDER AND JUDGEMENT
GRANTING FINAL APPROVAL OF
CLASS ACTION SETTLEMENT,
ATTORNEY FEES, COSTS AND
CLASS REPRESENTATIVE
ENHANCEMENT**

Date: October 1, 2020

Time: 1:30 p.m.

Courtroom: 9B

Honorable Cormac J. Carney

Action filed: January 10, 2019

Trial Date: July 7, 2020

1 The Plaintiff and Class Members, as defined below, and the settling Defendant
2 IKEA US RETAIL LLC. (hereinafter “Defendant” or “IKEA”) have entered into an
3 agreement to settle the above-captioned class action. The Settlement provides for the
4 payment of compensation to each Settlement Class Member.

5 Pursuant to the Preliminary Approval Hearing and Order, this Court granted
6 preliminary approval of the Settlement. (Dkt. 48.) The Preliminary Approval Order
7 also approved the Notice of Class Action Settlement (“Notice”) and the notice plan.
8 The Court entered the Preliminary Approval Order after review and consideration of
9 all of the pleadings filed in connection herewith.

10 In compliance with the Preliminary Approval Order, Notice was sent to all
11 Class Members via first-class mail. Furthermore, multiple follow-up mailings were
12 performed for returned mail in addition to the distribution of the Notice to Class
13 Members requesting copies. The notice plan was timely completed.

14 This matter is now before the Court on Plaintiff’s Motion for Final Approval of
15 the Class Action Settlement, Attorney Fees, Costs and Class Representative
16 Enhancement. The Court has read, heard, and considered all the pleadings and
17 documents submitted, and the presentations made in connection with the Motion
18 which came for hearing on October 1, 2020. This Court finds that the proposed
19 settlement appears to be the product of serious, informed, non-collusive negotiations,
20 has no obvious deficiencies, and does not improperly grant preferential treatment to
21 any individuals. The Court finds that the settlement was entered into in good faith.
22 The Court further finds that the settlement is fair, reasonable and adequate and that
23 Plaintiff has satisfied the standards for final approval of a class action settlement
24 under federal law. Under the provisions of Federal Rule of Civil Procedure 23, the
25 Court has discretion to certify a class where: [Q]uestions of law or fact common to
26 the members of the class predominate over any questions affecting only individual
27 members, and that a class action is superior to the available methods for the fair and
28 efficient adjudication of the controversy... Fed. R. Civ. Proc. 23(b)(3).

1 Certification of a class is the appropriate judicial device under these
2 circumstances.

3 Based on the foregoing, **IT IS HEREBY ORDERED THAT:**

4 1. This Court has jurisdiction over the claims of the Settlement Class
5 Members asserted in this proceeding and over all parties to the action.

6 2. For the reasons set forth in the Preliminary Approval Order, which are
7 adopted and incorporated herein by reference, this Court finds that the applicable
8 requirements of the Federal Rule of Civil Procedure 23 has been satisfied with respect
9 to the Settlement Class and the proposed settlement.

10 3. The Class Definition is as follows: all current and former hourly-paid,
11 non-exempt employees employed by Defendant in California during the Class
12 Period, defined as January 10, 2015, through March 31, 2020. It shall be an opt-out
13 class.

14 4. The Notice given to the Settlement Class Members fully and accurately
15 informed the Class Members of all material elements of the proposed settlement and
16 of their opportunity to request exclusion, object or comment thereon; was the best
17 notice practicable under the circumstances; was valid, due and sufficient notice to all
18 Class Members; and complied fully with the laws of the State of California, Federal
19 Rules of Civil Procedure, the United States Constitution, due process and other
20 applicable law. The Notice fairly and adequately described the settlement and
21 provided Class Members adequate instructions and a variety of means to obtain
22 additional information. A full opportunity has been afforded to the Settlement Class
23 Members to participate in this hearing, and all Settlement Class Members and other
24 persons wishing to be heard have been heard. Accordingly, the Court determines that
25 all Settlement Class Members who did not timely and properly opt out are bound by
26 this judgment and order. There are seven (7) opt outs to this settlement from the
27 following individuals: Ronald Anderson, Robert Flipp, Jocelyn Park, Kali Bell,
28 Anais Paez, Curtis Gutierrez and Melvin Shuman.

1 5. Pursuant to California law and Federal Rule of Civil Procedure 23(e), the
2 Court hereby grants final approval to the settlement and finds that it is fair, reasonable
3 and adequate, and in the best interests of the Settlement Class Members as a whole.
4 Accordingly, the Court hereby directs that the settlement be effected in accordance
5 with the Joint Stipulation of Class Action Settlement and PAGA Settlement and
6 Release of Claims and the following terms and conditions.

7 6. With this final approval of the proposed settlement, it is hereby
8 ordered that all members of the Settlement Class who have not opted out of the
9 Settlement Class fully release and discharge Defendant, and also all of the
10 Defendant's past, present and/or future, direct and/or indirect, officers, directors,
11 employees, agents, representatives, attorneys, insurers, partners, investors,
12 shareholders, administrators, parent companies, partners, subsidiaries, affiliates,
13 divisions, predecessors, successors, assigns, benefits plans, joint venturers, and
14 any individual or entity that could be liable for any of the Released Claims. The
15 release shall cover any claims arising within the scope of the lawsuit arising any
16 time up to and including March 31, 2020.

17 7. The Class Representative additionally waive all rights and benefits
18 afforded by California Civil Code §1542 and do so understanding the significance
19 of that waiver. Section 1542 provides:

20 A general release does not extend to claims which the creditor
21 does not know or suspect to exist in his or her favor at the time
22 of executing the release, which if known by him or her must
23 have materially affected his or her settlement with the debtor.

24 8. It is hereby ordered that a Class Representative Enhancement of \$10,000
25 to Allyza Cahilig is fair and reasonable.

26 9. It is hereby ordered that the attorney fee request of \$1,859,435,
27 \$22,706.94 as costs of litigation and \$39,555 as costs for the Claims Administrator
28 fees, which amounts shall be paid out of the total settlement amount as set forth in this

1 settlement is hereby granted pursuant to federal law because, *inter alia*, Plaintiff's
2 counsels' request falls within the range of reasonableness and the result achieved
3 justifies the award.

4 10. It is hereby ordered that the \$50,000 PAGA payment shall be made, with
5 \$37,500 payable to the Labor Workforce Development Agency and shall be paid out
6 of the total settlement amount as set forth in this settlement.

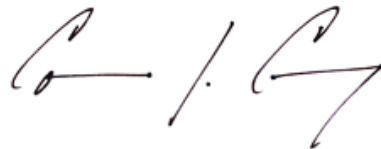
7 11. Without affecting the finality of this matter, this Court shall retain
8 exclusive and continuing jurisdiction over this action and the parties, including all
9 Settlement Class Members, for purposes of supervising, administering, implementing,
10 and enforcing, and interpreting the settlement, and the claims process thereunder.

11 **JUDGMENT**

12 In accordance with, and for the reasons stated in this Order, judgment shall
13 be entered whereby the representative Plaintiff and all Settlement Class Members
14 shall take nothing from Defendant, except as expressly set forth in the Joint
15 Stipulation of Class Action And PAGA Settlement And Release of Claims, which
16 was previously filed, as part of Plaintiff's Motion for Preliminary Approval of the
17 Class Action Settlement.

18 **IT IS SO ORDERED.**

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20 DATED: October 1, 2020

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HON. CORMAC J. CARNEY

25 UNITED STATES DISTRICT JUDGE
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